



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Integrity Private Security Services, Inc.

**File:** B-249910

**Date:** December 18, 1992

Jasmin Rivera-Chambers for the protester.  
Luis A. Vidal, Esq., National Archives and Records  
Administration, for the agency.  
David Hasfurther, Esq., and Michael R. Golden, Esq., Office  
of the General Counsel, GAO, participated in the preparation  
of the decision.

### DIGEST

Protest of the exclusion of an offeror's proposal from the competitive range is denied where the agency reasonably concluded in accordance with the solicitation evaluation criteria that the offeror did not adequately address major portions of the management plan required by the solicitation, and the management plan factor constituted 70 percent of the technical evaluation.

### DECISION

Integrity Private Security Services, Inc. protests the rejection of its proposal under request for proposals (RFP) No. NAMA-92-N3-P-0010, issued by the National Archives and Records Administration to obtain armed security guard services for the Jimmy Carter Presidential Library. Integrity contends that its proposal was improperly excluded from the competitive range.

We deny the protest.

The RFP was issued on May 11, 1992, with a June 23 deadline for the receipt of initial proposals. Offerors were required to submit separate technical and price proposals. To aid in their evaluation, all technical proposals were to follow the same general format of addressing each of the technical evaluation factors in the order in which they were

set forth in the RFP's evaluation factors for award clause. These factors, along with the total point scores allotted to each for evaluation purposes, were set forth as follows:

A. Management Plan

- (1) Staffing/Compensation Plan (30 points)
- (2) Project Management (20 points)
  - (a) Qualifications/Experience of the Proposed Supervisory Personnel (10 points)
  - (b) On-Site Management/Quality Assurance Plan (5 points)
  - (c) Corporate Oversight/Support Program (5 points)
- (3) Incident Response Plans (10 points)
  - (a) Terrorist Incidents/Threats
  - (b) Scheduled/Unscheduled Demonstrations
  - (c) Actual/Apparent Larceny of Government Documents
  - (d) Special Events Involving Distinguished Visitors, Heads of State, Former Presidents, Press and Media
  - (e) Fire, Electrical, Mechanical Emergencies, and Flooding
- (4) Interpretation of the Library's Requirements (10 points)

B. Past Related Corporate Experience and Performance (30 points)

Offerors were clearly advised in the RFP's instructions for preparation of technical proposal of the information to be furnished under each of these evaluation factors.

The agency received technical and price proposals from 14 offerors. The technical proposals were evaluated by the technical evaluation committee (TEC). One proposal was found to be fully acceptable, four were found to be conditionally acceptable, and nine were rejected as unacceptable and excluded from the competitive range.

Prior to a request for best and final offers, the agency determined that the procurement should be suspended pending our decision on the protest filed by Integrity.

Integrity's offer was rejected as unacceptable and excluded from the competitive range because the contracting officer agreed with the TEC's finding that Integrity had failed to adequately address the requirements for a management plan. Integrity received a total of 20 points (of a possible 70) for its proposed management plan. In contrast, the firm received 21 points (of a possible 30) for its past related corporate experience and performance.

Specifically, under the management plan factors, Integrity's staffing plan was determined to be satisfactory, and it received 12 points (of a possible 15). However, its compensation plan was found unsatisfactory because it lacked detail regarding the wages and benefits, as well as incentives and bonuses, Integrity would pay. It received 4 points (of a possible 15) for its compensation plan. Integrity received only 3 points (of a possible 20) for its project management: 1 point (of a possible 10) for the qualifications/experience of its supervisors, 1 point (of a possible 5) for its on/site management/quality assurance plan, and 1 point (of a possible 5) for its corporate oversight/support program. In this regard, the evaluators found that it was not clear from Integrity's proposal which of two named persons was the proposed on-site supervisor. Also the role of "other supervisory staff who may be assigned . . . from time to time" was not explained. Finally, the proposal was determined to lack specifics regarding contract start-up; the discussion of training was weak; the availability of an emergency reserve force to meet contingencies was not addressed; and the proposed quality control plan was considered insufficient. Integrity received only 1 point (of a possible 10) for its incident response plans because only one of the five specified unplanned incidents--that for "special events involving distinguished visitors, heads of state, former presidents, press and media"--was addressed. The proposal did not address terrorist incidents/threats, theft of government documents, unscheduled demonstrations, fire, electrical mechanical emergencies. Integrity was rated unsatisfactory and received no points (of a possible 10) for its interpretation of the Library's requirements because the evaluators failed to find any discussion of this factor in Integrity's proposal.

In reviewing protests against an agency's technical evaluation and decision to eliminate a proposal from consideration for award, we review the record to determine whether the agency's judgments were reasonable and supported by the record and in accordance with the listed evaluation

criteria and whether there were any violations of procurement statutes or regulations. CTA, Inc., B-244475.2, Oct. 23, 1991, 91-2 CPD ¶ 360. Federal Acquisition Regulation § 15.609(a) (FAC 90-7) requires that the competitive range be determined on the basis of cost or price and other factors that were stated in the solicitation and consist of all proposals that have a reasonable chance of being selected for award, including deficient proposals that are reasonably susceptible of being made acceptable through discussions. See Hummer Assocs., B-236702, Jan. 4, 1990, 90-1 CPD ¶ 12. However, as a general rule, an agency need not include in the competitive range offers that are unacceptable as submitted and which would require major revisions to become acceptable. Stay, Inc., B-247606, May 29, 1992, 71 Comp. Gen. \_\_\_, 92-1 CPD ¶ 481. The record here supports the agency's determination that Integrity's proposal would have required major revisions to be made acceptable and that, under the circumstances, its exclusion from the competitive range was reasonable.

Integrity admits that it failed to provide the necessary compensation information with its technical proposal. The RFP clearly required this information to be submitted with the technical proposal. The RFP advised that the proposed compensation and retention incentive plans have a direct bearing on a determination of the offeror's understanding of the agency's requirements because an inadequate compensation/incentive plan could materially affect the level of services provided.

Since Integrity's technical proposal did not provide the required compensation and incentive plan, we cannot disagree with the significant downgrading of Integrity's proposal for this factor. Integrity also concedes that it did not clearly identify the person that it would employ as its on-site supervisor. The proposal also contained the unexplained statement that "other supervisory staff . . . may be assigned" when needed. The applicable RFP evaluation factor provided that it is essential that the contractor maintain a superior level of supervisory control at all times and must have one full-time supervisor. We again cannot disagree with the downgrading of the project management portion of Integrity's proposal because of a lack of a clear identification and commitment of required supervisory personnel.

Further, regarding the required incident response plans, while Integrity argues that its proposal and enclosures contain sufficient information to be evaluated favorably, we do not believe that mere reference to the plans is sufficient to constitute an adequate response to the required plans. The record shows that the only plan that Integrity specifically mentioned is found in that portion of

its proposal dealing with distinguished visitors. We think the failure to address plans for dealing with the four other unscheduled or emergency events was a material omission. Finally, the RFP clearly included the areas to be discussed in responding to "Interpretation of the Library's Requirements." These requirements included training to interact with a diverse public, establishing special procedures to protect the Library and its unique content and controlling access to special use areas. The RFP warned that merely restating government requirements would be considered inadequate. While parts of Integrity's proposal mention these subject matters, Integrity did not specifically address these special concerns of the Library under its management plan. Indeed, even though Integrity does include this evaluation factor in the index to its proposal, the portion of its proposal which is to address the matter is labelled "Corporate Management" and has no apparent relationship to the firm's interpretation of the Library's special needs.

Accordingly, since Integrity's proposal did not provide the required information under compensation plan, supervisory personnel, incident response plans and Library requirements, all of which involved significant RFP requirements, we think the agency reasonably determined that the proposal had no reasonable chance for award and properly excluded the firm from the competitive range. See Dick Young Prods. Ltd., B-246837, Apr. 1, 1992, 92-1 CPD ¶ 336.<sup>1</sup>

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<sup>1</sup>This solicitation is a revised version of an RFP for the same services which the agency previously canceled. The agency had requested, received, and evaluated proposals under that RFP and Integrity's original proposal, which was the same as the one in question here, was found acceptable under that prior RFP. Integrity argues that the acceptance of its proposal under the prior RFP establishes that the present evaluation was unreasonable and that its proposal under this revised solicitation should have been found acceptable. However, the revised RFP contains changes to the evaluation factors. Of most significance, the revised RFP requires a management plan for staffing/compensation and project management worth 70 points which was not contained in the prior solicitation. Thus, Integrity's submission of the proposal under the prior version of the RFP, which did not require a management plan, reasonably could be evaluated differently under the revised RFP. In fact, as shown above, Integrity's proposal was found unacceptable because of Integrity's inadequate response to the revised RFP's management plan requirements.

The protest is denied.

A handwritten signature in cursive script, appearing to read "Robert P. Murphy".

*for* James F. Hinchman  
General Counsel